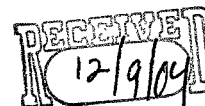




04-CV-036
Request to Testify
1/28 Dallas



LITIGATION

ANALYSIS

MANAGEMENT

December 8, 2004

Peter G. McCabe
Secretary
Committee on Rules of Practice and Procedure
Administrative Office of the United States Courts
Thurgood Marshall Federal Judicial Building
Washington, D.C. 20544

Re: Testimony on Proposed Amendments to the Federal Rules of Civil Procedure
Regarding Electronic Discovery

Dear Mr. McCabe:

This correspondence via email will serve as my formal request to testify on proposed e-discovery rules in Dallas, Texas on January 28, 2005. I appreciate the opportunity to be part of this process.

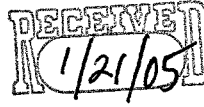
If you require additional information from me regarding the above, please contact me via e-mail at Anne@AKershaw.com.

Very truly yours,

Anne Kershaw, Esq.



A. Kershaw PC
Attorneys & Consultants



04-CV-036

Written Statement
for 1/28 Dallas hearing
will arrive before 2/15.

January 19, 2005

LITIGATION

ANALYSIS

MANAGEMENT

Peter G. McCabe
Committee on Rules of Practice and Procedure
Administrative Office of the United States Courts
Thurgood Marshall Federal Judicial Building
Washington, D.C. 20544

Re: Dallas Hearings: Proposed E-Discovery FRCP Amendments

Dear Mr. McCabe:

I am scheduled to testify at the hearings in Dallas on January 28, 2005. This letter responds to your request for a written submission in advance of the hearing.

In early December it became clear that it would be beneficial to the rules amendment process to provide to the Advisory Committee specific information regarding the issues imposed by electronic discovery on large data producers. Attempting to respond to that realization, we embarked on a campaign to recruit large data producers to testify and submit comments on these issues. Our campaign was confronted with serious confidentiality concerns, primarily because these large data producers are also large targets in litigation, and expressed concern that public testimony as to electronic discovery issues would quickly become issues in litigation.

In an effort to compromise concerns, we are endeavoring to solicit this critical information from large data producers by way of a small, informal, confidential survey which we are conducting primarily through telephone interviews. Our hope is to provide the Advisory Committee through my testimony the preliminary results of this survey. We would then follow up with a full written report before the February 15, 2005 close of the comment period. Regrettably, we simply are not far along enough in our survey to provide a full submission at this time. Respectfully, I request that the Advisory Committee nonetheless allow me to proceed with my testimony of January 28, 2005.

Respectfully submitted, _____

Anne Kershaw

Anne Kershaw, Esq.